IN THE HIGH COURT OF JUDICATURE,
ANDHRA PRADESH
AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.1519 of 2007

Dated: February 06, 2007

Between:

Uyyuru Giribabu, S/o. Ramulu, aged about 21 years, Occ: Student, Venkatadrigudem, Chintalapudi Mandal, Khammam District, and another.

... Petitioners

And

Andhra Pradesh State Council for Higher Education, Rep. by its Secretary, Masabtank, Hyderabad, and Others.

... Respondents

Order:

This Writ Petition has been filed seeking Mandamus to declare the action of the respondents in not approving the admissions of petitioners in B.Ed. course for the academic year 2005-06 as illegal and arbitrary.

2. Petitioners, who claim to have completed their graduation in March/April 2006, responded to the

notification issued by respondents
1 and 2 for admission into B.Ed. course for the academic year 2005-06 and applied for entrance examination. It is their case that they have qualified in the said examination and obtained ranks. It is stated that they got themselves admitted in the fifth respondent – college of education in June, 2006 in management quota. Their grievance is that their admissions are not being approved only the ground that they have completed their graduation in March/April-2006.

3. Heard learned counsel for petitioners, Mr. Sudesh Anand,
Mr. Deepak Bhattacharjee and learned Government Pleader for School Education for respondents.

4. Admissions to the said course are delayed. Though virtually admissions are made in the year 2006, they relate to the academic year 2005-06. It is not in dispute that petitioners have secured admissions in 'B' category seats and the last date for such admissions was 31-05-2006.

5. Learned Standing Counsel appearing for the first respondent, on instructions, submits that admissions of petitioners were not approved only on the ground that they have passed the qualifying examination in the year in which they took admissions to B.Ed. course, i.e. in the same academic year.

6. It is to be noted that admissions to the aforesaid course are governed by the rules framed under Sections 3

and 15 of the Andhra Pradesh Educational Institutions (Regulation of Admissions and Prohibition of Capitation Fees) Act, 1993 ('the Act' for brevity). Rule 3 of the rules referred above deals with the eligibility criteria for appearing in Ed.Cet or Ed.Cet (A.C). So far as the criteria for educational qualifications is concerned, the students who have appeared for final year examinations are also eligible for admission. In that view of the matter, the ground on which the admissions of petitioners are not approved, i.e. petitioners have passed the qualifying examination in March/April-2006, is not a valid ground at all. Further, they were issued all the necessary certificates before the last date for making admissions to B.Ed. course, i.e. 31-05-2006.

7. In the circumstances, I dispose of the Writ Petition directing the respondents to approve the admissions of petitioners and allow them to prosecute the course by announcing the results of the examinations, which they have appeared pursuant to the interim directions of this court dated 29-01-2007. No costs.

JUSTICE R. SUBHASH REDDY.

February 6, 2007
MRR